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OFFICE OF PETITIONS

In re Application of
Suek, et al.
Application No. 10/777,615
Filed: February 12, 2004
Attorney Docket No. 2316.1253USC1
For: FERRULE POLISHING FIXTURE

:
: DECISION GRANTING
: PETITION
:
:

This is a decision on the "Request for Corrected Filing Receipt," filed June 10, 2004 (certificate of mailing date June 8, 2004), requesting that the above-identified application be accorded a filing date of February 12, 2004 rather than the presently accorded filing date of February 13, 2004. The paper will be treated as a petition under 37 CFR 1.10(c).

Petitioners request the earlier filing date on the basis that the application was deposited in Express Mail service of the United States Postal Service (USPS) on February 12, 2004, pursuant to the requirements of 37 CFR 1.10. The petition is accompanied by a copy of Express Mail label no. EV322884329US showing a "date-in" of 2/14/04 **and** a USPS date stamp of FEB 12 2004. The same Express Mail label number is listed on the original transmittal letter found in the application file. In addition, the USPS Track & Confirm Shipment Details for the package associated with EV322884329US states that the package was accepted on February 12, 2004 in Minneapolis, MN 55401.

The evidence presented establishes that the Express Mail package associated with Express Mail label no. EV322884329US was deposited with the USPS on February 12, 2004.

Accordingly, the petition is granted.

No fee has been or will be charged in connection with this petition.

The application is being returned to the Office of Initial Patent Examination for correction of the filing date to **February 12, 2004**.

Any inquiries related to this decision should be directed to the undersigned at (703) 308-6712.

E. Shirene Willis
Senior Petitions Attorney
Office of Petitions